



**REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS
AUDIT EXAMINATION OF THE
MERCER COUNTY CLERK**

Calendar Year 1999

**EDWARD B. HATCHETT, JR.
AUDITOR OF PUBLIC ACCOUNTS
WWW.KYAUDITOR.NET**

**144 CAPITOL ANNEX
FRANKFORT, KY 40601
TELE. (502) 564-5841
FAX (502) 564-2912**

EXECUTIVE SUMMARY
MERCER COUNTY
LARRY SHORT, COUNTY CLERK
CALENDAR YEAR 1999
FEE AUDIT

On April 11, 2000, fieldwork was completed on the Calendar Year 1999 Mercer County Clerk fee audit. An unqualified opinion was rendered on the financial statement. No reportable conditions relating to the financial statement were reported.

Deposits:

The County Clerk's deposits were fully insured or collateralized as of December 31, 1999, as well as on the high balance date of April 8, 1999. The County Clerk had a written agreement with the depository institution.

Leases:

The County Clerk was committed to two lease agreements for copiers for a 60-month period. The ending date on both leases occurs in February 2004. Outstanding balances as of December 31, 1999 were \$13,564 and \$3,790.

Excess Fees:

Total excess fees remitted to the Mercer County Treasurer for calendar year 1999 was \$105,421.

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Edward B. Hatchett, Jr. Auditor of Public Accounts

To the People of Kentucky

Honorable Paul E. Patton, Governor

Kevin Flanery, Secretary

Finance and Administration Cabinet

Mike Haydon, Secretary, Revenue Cabinet

Honorable Charles McGinnis, Mercer County Judge/Executive

Honorable Larry Short, Mercer County Clerk

Members of the Mercer County Fiscal Court

Independent Auditor's Report

We have audited the accompanying statement of receipts, disbursements, and excess fees of the County Clerk of Mercer County, Kentucky, for the year ended December 31, 1999. This financial statement is the responsibility of the County Clerk. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with generally accepted auditing standards, Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for County Fee Officials issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the County Clerk's office is required to prepare the financial statement on a prescribed basis of accounting that demonstrates compliance with the cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than generally accepted accounting principles. This cash basis system does not require the maintenance of a general fixed asset group or general long-term debt group of accounts. Accordingly, the accompanying financial statement is not intended to present financial position and results of operations in conformity with generally accepted accounting principles.

In our opinion, the financial statement referred to above presents fairly, in all material respects, the receipts, disbursements, and excess fees of the County Clerk for the year ended December 31, 1999, in conformity with the basis of accounting described above.

To the People of Kentucky
Honorable Paul E. Patton, Governor
Kevin Flanery, Secretary
Finance and Administration Cabinet
Mike Haydon, Secretary, Revenue Cabinet
Honorable Charles McGinnis, Mercer County Judge/Executive
Honorable Larry Short, Mercer County Clerk
Members of the Mercer County Fiscal Court

In accordance with Government Auditing Standards, we have also issued a report dated April 11, 2000, on our consideration of the County Clerk's compliance with certain laws and regulations and internal control over financial reporting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett", with a long horizontal flourish extending to the right.

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
April 11, 2000

MERCER COUNTY
LARRY SHORT, COUNTY CLERK
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES

Calendar Year 1999

Receipts

State Fees For Services		\$	7,715
Fiscal Court			6,220
Licenses and Taxes:			
Motor Vehicle-			
Licenses and Transfers	\$	491,668	
Usage Tax		1,879,299	
Tangible Personal Property Tax		1,315,269	
Lien Fees		4,865	
Licenses-			
Marriage		6,210	
Deed Transfer Tax		54,036	
Delinquent Tax		108,722	3,860,069
			<hr/>
Fees Collected for Services:			
Recordings-			
Deeds, Easements, and Powers of Attorney	\$	14,592	
Real Estate Mortgages		32,331	
Chattel Mortgages and Financing Statements		62,299	
All Other Recordings		22,517	
Charges for Other Services-			
Miscellaneous		11,619	143,358
			<hr/>
Interest Earned			5,482
			<hr/>
Gross Receipts		\$	4,022,844

Disbursements

Payments to State:

Motor Vehicle-			
Licenses and Transfers	\$	363,229	
Usage Tax		1,819,915	
Tangible Personal Property Tax		482,344	
Delinquent Tax		19,128	
Legal Process Tax		20,742	\$ 2,705,358
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MERCER COUNTY
 LARRY SHORT, COUNTY CLERK
 STATEMENT OF RECEIPTS, DISBURSEMENTS, AND EXCESS FEES
 Calendar Year 1999
 (Continued)

Disbursements (Continued)

Payments to Fiscal Court:

Tangible Personal Property Tax	\$	84,880	
Delinquent Tax		11,419	
Deed Transfer Tax		<u>51,279</u>	\$ 147,578

Payments to Other Districts:

Tangible Personal Property Tax	\$	695,340	
Delinquent Tax		<u>45,946</u>	741,286

Payments to Sheriff 5,203

Payments to County Attorney 18,444

Operating Disbursements and Capital Outlay:

Personnel Services-			
Deputies Salaries	\$	152,869	
Extra Help		3,520	
Materials and Supplies-			
Office Supplies		31,846	
Other Charges-			
Conventions and Travel		1,375	
Dues		1,151	
Postage		6,066	
Reimbursements		287	
Preparing Tax Bills		2,799	
Usage Tax Refunds		3,005	
Uncollected Cold Checks		<u>494</u>	203,412

Capital Outlay-

Computer System		<u>29,963</u>	
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Total Disbursements \$ 3,851,244

Net Receipts \$ 171,600

Less: Statutory Maximum 62,579

Excess Fees \$ 109,021

Less: Expense Allowance 3,600

Excess Fees Due County for Calendar Year 1999 \$ 105,421

Payments to County Treasurer - January 25, 2000 \$ 103,000

April 11, 2000 2,421 105,421

Balance Due at Completion of Audit \$ 0

The accompanying notes are an integral part of the financial statement.

MERCER COUNTY
NOTES TO FINANCIAL STATEMENT

December 31, 1999

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

A fee official uses a fund to report on the results of operations. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

A fee official uses a fund for fees to account for activities for which the government desires periodic determination of the excess of receipts over disbursements to facilitate management control, accountability, and compliance with laws.

B. Basis of Accounting

The financial statement has been prepared on a cash basis of accounting pursuant to KRS 68.210 as recommended by the State Local Finance Officer. Revenues and related assets are generally recognized when received rather than when earned. Certain expenses are recognized when paid rather than when a liability is incurred, including capital asset purchases. Certain other expenses are recognized when a revenue and the related asset can be associated with a corresponding liability due another governmental entity.

The measurement focus of a fee official is upon excess fees. Remittance of excess fees is due to the County Treasurer in the subsequent year.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the County Clerk's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Employee Retirement System

The county officials and employees have elected to participate in the County Employees Retirement System (CERS), pursuant to KRS 78.530 administered by the Board of Trustees of the Kentucky Retirement Systems. This is a multiple-employer public retirement system that covers all eligible full-time employees. Benefit contributions and provisions are established by statute. Nonhazardous covered employees are required to contribute 5.0 percent of their salary to the plan. The county's contribution rate for nonhazardous employees was 6.34 percent.

MERCER COUNTY
 NOTES TO FINANCIAL STATEMENT
 December 31, 1999
 (Continued)

Note 2. Employee Retirement System (Continued)

Benefits fully vest on reaching five years of service for nonhazardous employees. Aspects of benefits for nonhazardous employees include retirement after 27 years of service or age 65.

Historical trend information pertaining to CERS' progress in accumulating sufficient assets to pay benefits when due is present in the Kentucky Retirement Systems' annual financial report which is a matter of public record.

Note 3. Deposits

The County Clerk maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 64.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the County Clerk and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of December 31, 1999, the County Clerk's deposits were fully insured or collateralized at a 100% level with collateral of either pledged securities held by the County Clerk's agent in the County Clerk's name, or provided surety bonds which named the County Clerk as beneficiary/obligee on the bonds.

Note 4. Leases

Commitments to the following lease agreements as of December 31, 1999 are:

<u>Item Purchased</u>	<u>Monthly Payment</u>	<u>Term of Agreement</u>	<u>Ending Date</u>	<u>Principal Balance December 31, 1999</u>
Copier	\$ 271	60 months	February 2004	\$ 13,564
Copier	76	60 months	February 2004	3,790

REPORT ON COMPLIANCE
AND ON INTERNAL CONTROL OVER FINANCIAL
REPORTING BASED ON AN AUDIT OF THE FINANCIAL STATEMENT
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



Edward B. Hatchett, Jr.
Auditor of Public Accounts

Honorable Charles McGinnis, Mercer County Judge/Executive
Honorable Larry Short, Mercer County Clerk
Members of the Mercer County Fiscal Court

Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards

We have audited the Mercer County Clerk as of December 31, 1999, and have issued our report thereon dated April 11, 2000. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the Mercer County Clerk's financial statement as of December 31, 1999, is free of material misstatement, we performed tests of its compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under Government Auditing Standards.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Mercer County Clerk's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be a material weakness.

Honorable Charles McGinnis, Mercer County Judge/Executive
Honorable Larry Short, Mercer County Clerk
Members of the Mercer County Fiscal Court
Report On Compliance And On Internal Control
Over Financial Reporting Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and is not intended to be and should not be used by anyone other than the specified party. However, this report, upon release by the Auditor of Public Accounts, is a matter of public record and its distribution is not limited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed Hatchett", with a long horizontal flourish extending to the right.

Edward B. Hatchett, Jr.
Auditor of Public Accounts

Audit fieldwork completed -
April 11, 2000

